

- A

IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 8TH DAY OF JUNE 1998

B E F O R E

THE HON'BLE MR. JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.9621/1997

BETWEEN:

Sri H. Surendra Prabhu,
S/o H. Govindaraya Prabhu,
aged about 58 years,
R/o No.106/1, 4th Cross,
Tilaknagar, Shimoga.

... Petitioner.

(By Sri P.A. Kulkarni for Petr.)

AND:

1. Karnataka Housing Board,
Cauvery Bhavan, Bangalore - 9,
by its Commissioner.
2. Executive Engineer,
Karnataka Housing Board Divn.,
Shimoga - 577 201.
3. The Special Land Acquisition
Officer, Karnataka Housing
Board, Cauvery Bhavan,
Bangalore - 9.

... Respondents.

(By Sri R.S. Hegde for R-1 to R-3.)

... 2/-

195
5-10-98

This Writ Petition filed under Articles 226 & 227 of the Constitution of India with an affidavit praying to: Quash Annex-H dt.20.2.97 by R-1 and etc.

This Writ Petition coming on for preliminary hearing in 'B' group this day, the Court made the following:

O R D E R

The petitioner in this petition has challenged the notice issued by the Housing Board demanding Rs.59,70,833/- as betterment charges. The learned counsel for the Housing Board submitted that during the pendency of the writ petition on the representation made by the petitioner, the Housing Board has redetermined the betterment charges and fixed at Rs.5,97,540/- by order of the Commissioner dated 23-1-1998.

In view of the subsequent development this writ petition does not survive for consideration. Accordingly, this petition is rejected. However, it is open for the petitioner to challenge the order passed by the Housing Board during the pendency of the writ petition determining the betterment charges, if he is so advised.

Sd/- Judge.

COPY

Assistant Registrar
High Court of Karnataka
Bangalore-560 001

bsr(o.s.)

r.by: 1/7/98

c.by: 2

2/7/98

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